

surrounded by a substantially plane zone against which means for forming a temporary dark chamber, having a light-proof shoe that is proof against external light, is pressed.

11. (Amended) A reaction vessel for automatic apparatus for immunological assay, the vessel comprising walls in the form of a vessel for receiving a sample to be tested, a test reagent, and a substrate coupled with a chemiluminescent substance, and also a filling opening, wherein the walls are proof against any light emitted by the chemiluminescent substance, apart from a window for reading the intensity of any light emitted by the reaction mixture formed by the sample to be tested, the reagent, and the substrate, and wherein the window corresponds to the filling opening of the vessel and wherein the window is surrounded by a substantially plane zone against which a light-proof shoe is pressed, and a light source for illuminating, on command, the outside of a dark chamber formed temporarily by the walls of the vessel and a photometric means so as to enable the dark chamber to be tested for light-tightness, the immunological test being rejected if the photometric means detect light emitted by the light source.

#### REMARKS

Claims 1 and 4-15 are currently pending in this application. Claims 1 and 11 are amended by this response. Claim 11 has been amended into independent form and incorporates the limitations of original claims 1-3. Reexamination and reconsideration of the application are respectfully requested.

#### CLAIM REJECTION – 35 U.S.C. §103

##### Independent Claim 1

Claim 1 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Uzan et al., in view of Berthold et al., Smethers et al., and Honzawa et al.

Uzan et al., Berthold et al., Smethers et al., and Honzawa et al., alone or in combination, do not teach or suggest “a substantially plane zone against which means for forming a temporary dark chamber, having a light-proof shoe that is proof against external light, is pressed,” as required by amended claim 1. Therefore, independent claim 1 and dependent claim 4 are allowable.

ALLOWABLE SUBJECT MATTER

Applicants appreciate the indicated allowability of dependent claim 11, which has been amended into independent form and incorporates the limitations of original claims 1-3.

CONCLUSION

In view of the above, entry of the amendment and allowance of claims 1 and 4-15 are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Billie J. Smith', written in a cursive style.

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## Appendix – Marked Up Rewritten Claims

1. (Amended) A reaction vessel for automatic apparatus for immunological assay, the vessel comprising walls in the form of a vessel for receiving a sample to be tested, a test reagent, and a substrate coupled with a chemiluminescent substance, and also a filling opening, wherein the walls are proof against any light emitted by the chemiluminescent substance, apart from a window for reading the intensity of any light emitted by the reaction mixture formed by the sample to be tested, the reagent, and the substrate, and wherein the window corresponds to the filling opening of the vessel and wherein the window is surrounded by a substantially plane zone against which means for forming a temporary dark chamber, having a light-proof shoe that is proof against external light, is pressed.

11. (Amended) A reaction vessel for automatic apparatus for immunological assay, the vessel comprising walls in the form of a vessel for receiving a sample to be tested, a test reagent, and a substrate coupled with a chemiluminescent substance, and also a filling opening, wherein the walls are proof against any light emitted by the chemiluminescent substance, apart from a window for reading the intensity of any light emitted by the reaction mixture formed by the sample to be tested, the reagent, and the substrate, and wherein the window corresponds to the filling opening of the vessel and wherein the window is surrounded by a substantially plane zone against which a light-proof shoe is pressed, and [Apparatus according to claim 5, including] a light source for illuminating, on command, the outside of a dark chamber formed temporarily by the walls of the vessel and a photometric means so as to enable the dark chamber to be tested for light-tightness, the immunological test being rejected if the photometric means detect light emitted by the light source.